

## NURSING BOARD[655]

### Notice of Intended Action

#### **Proposing rule making related to continuing education and child and dependent adult abuse mandatory reporter training and providing an opportunity for public comment**

The Board of Nursing hereby proposes to amend Chapter 5, “Continuing Education,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 147.76 and 272C.2(1).

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 272C.2.

#### *Purpose and Summary*

2019 Iowa Acts, House File 731, amends Iowa Code sections 232.69(3) and 235B.16(5), which govern mandatory child abuse and dependent adult abuse identification and reporting training requirements for certain professionals. This rule making amends Chapter 5 to conform to the new statutory language and clarifies that the proof of completion issued by the Department of Human Services shall satisfy the Board’s documentation requirements.

This rule making also clarifies that the subject matter of the licensee’s continuing education should be applicable to the licensee’s practice area.

This rule making also expands the list of entities that may approve a continuing education offering. Due to the expansion of the list of approving entities, licensees will have access to a broader range of courses and will more easily be able to find courses that are applicable to their practice areas. Additionally, this rule making removes the requirement for Board staff to approve coursework under the special approval process for the added approving entities.

This rule making also eliminates the 90-day response deadline to submit documentation for continuing education make-up credit to reflect internal procedural changes to the process of reviewing incomplete continuing education submissions.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 655—Chapter 15.

#### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on November 26, 2019. Comments should be directed to:

Kathy Weinberg  
Iowa Board of Nursing  
400 S.W. Eighth Street, Suite B  
Des Moines, Iowa 50309  
Email: [kathy.weinberg@iowa.gov](mailto:kathy.weinberg@iowa.gov)

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 6, 2019  
9 to 10 a.m.

Board Office, Suite B  
400 S.W. Eighth Street  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **5.2(4)“a”** as follows:

a. Appropriate subject matter for continuing education credits reflects the educational needs of the nurse learner and the health needs of the consumer. Appropriate subject matter is limited to offerings that are scientifically founded, applicable to the licensee's practice area, and predominantly for professional growth. The following areas are deemed appropriate subject matter for continuing education credit:

- (1) Nursing practice related to health care of patients/clients/families in any setting.
- (2) Professional growth and development related to nursing practice roles with a health care focus.
- (3) Sciences upon which nursing practice, nursing education, or nursing research is based, e.g., nursing theories and biological, physical, behavioral, computer, social, or basic sciences.
- (4) Social, economic, ethical and legal aspects of health care.
- (5) Management of or administration of health care, health care personnel, or health care facilities.
- (6) Education of patients or patients' significant others, students, or personnel in the health care field.

ITEM 2. Amend paragraph **5.2(5)“a”** as follows:

a. Informal offerings approved by the following entities:

- (1) ~~Board approved providers~~ Iowa board of nursing.
- (2) ~~Other approved providers from~~ state boards of nursing that have mandatory continuing education requirements.
- (3) American Nurses Credentialing Center (ANCC) Commission on Accreditation.
- (4) National League for Nursing (NLN).
- (5) National Federation of Licensed Practical Nurses Continuing Education (NFLPN) and the NFLPN Education Foundation.
- (6) National Association for Practical Nurse Education and Service, Inc. (NAPNES).
- (7) American Association of Nurse Practitioners (AANP).
- (8) National Association of Pediatric Nurse Practitioners (NAPNAP).

- (9) Accreditation Council for Continuing Medical Education (ACCME).
- (10) American Medical Association (AMA) Continuing Medical Education.
- (11) International Association for Continuing Education and Training (IACET).
- (12) American Psychological Association (APA).
- (13) National Commission for Health Education Credentialing.
- (14) National Board of Public Health Examiners.
- (15) National Commission for Certifying Agencies (NCCA).
- (16) Commission for Case Manager Certification (CCMC).
- (17) National Council for Behavioral Health.

ITEM 3. Amend paragraph **5.2(10)“b”** as follows:

*b.* The licensee must submit verification of completion of the mandatory reporter training ~~course~~ approved course(s) provided by the Iowa department of ~~public health~~ human services in the previous ~~five~~ three years as specified in 655—subrule 3.7(3). The proof of completion issued by the Iowa department of human services shall satisfy the documentation requirements of subrule 5.2(6).

ITEM 4. Amend paragraph **5.2(10)“d”** as follows:

*d.* If submitted materials are incomplete or unsatisfactory, the licensee shall be notified. The licensee shall be given the opportunity to submit make-up credit to cover the deficit found through the audit. ~~The deadline for receipt of the documentation for this make-up credit is within 90 days of the board office notification.~~ The licensee may be reaudited during the next renewal period when make-up credit has been accepted. The make-up credit shall not be reused for the current renewal period.